

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CARALYN FRIEDLY, on behalf of
himself and others similarly situated,

Plaintiff,

vs.

UNION BANK AND TRUST
COMPANY,

Defendant.

4:21-CV-3105

ORDER

This matter is before the Court on the Magistrate Judge's findings and recommendation ([filing 25](#)) with respect to the plaintiff's motion for conditional class certification ([filing 16](#)). No objection has been lodged to the findings and recommendation, and the failure to object eliminates any need for review by the Court. *Thomas v. Arn*, 474 U.S. 140, 149-51 (1985); *Leonard v. Dorsey & Whitney LLP*, 553 F.3d 609, 619-20 (8th Cir. 2009). Accordingly,

IT IS ORDERED:


1. The Magistrate Judge's findings and recommendation ([filing 25](#)) are adopted.
2. The plaintiff's motion for conditional class certification ([filing 16](#)) is granted, for the following opt-in class for collective action:

All hourly employees employed by Union Bank and Trust Company who received a bonus in connection with work performed in at least one week in which they worked over forty hours since May 19, 2018.

3. On or before January 5, 2022, the defendant shall produce to the plaintiff, in electronic format, the last known mailing addresses and email addresses of individuals who currently work and/or previously worked for the defendant at any time during the three years prior to the filing of this case.
4. The plaintiff is authorized to send the mailed Notice and Consent forms ([filing 16-1](#); [filing 16-2](#)) and the reminder postcard ([filing 16-5](#)), and the email Notice and Consent forms ([filing 16-3 at 1](#); [filing 16-4](#)) and email reminder notice ([filing 16-3 at 2](#)), with the modifications identified and discussed by the Magistrate Judge, to all potential opt-in plaintiffs.
5. The opt-in period for joining the conditional class shall be 90 days from the sending of the Notice and Consent forms.

Dated this 6th day of December, 2021.

BY THE COURT:



John M. Gerrard
United States District Judge